

REMARKS

Applicant thanks the Examiner for the thorough consideration given to the present application. Claims 1-11 remain pending in the present application. Claims 1 and 7 have been amended. The basis for the above amendments may be found throughout the specification, drawings and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw his rejections in view of the above amendments and remarks as set forth below.

REJECTIONS UNDER 35 USC §102

Claims 1-11 stand rejected under 35 USC §102(b) as being unpatentable over U.S. Patent No. 6,202,051 (Woolston). Applicant respectfully traverses this rejection.

Woolston is generally directed to a computer-implemented system that enables sellers to auction items to one or more potential buyers via the Internet. As noted by the Examiner, Woolston discloses various techniques for transacting a purchase between a buyer and a seller. Payment to the seller is generally achieved using two step process: (1) crediting an internally maintained account for the seller (e.g., see accounts 824 in Fig. 12); and (2) subsequently, cutting a check to the seller (e.g., see col. 19, lines 26-29). To the extent that such techniques involve the use of credit card accounts, Woolston only describes debiting a credit card account of the buyer (e.g., see col. 5, lines 20-24). In other words, Woolston does not teach or suggest transacting a purchase that includes the step of crediting the credit card account of the seller.

Similarly, Applicant's invention is generally directed to a method for transacting a purchase between a buyer and a seller using a computer-implemented system. Of particular interest, Claim 1 recites the step of "transacting a purchase between the buyer and the seller using credit card account information from the buyer and the seller, including the step of crediting the credit card account of the seller" in combination with the other elements recited in the claim. Thus, the transaction manager executes a credit transaction for the sale amount (less any previously agreed upon transaction fee) to be credited to the seller's credit card account using a credit card clearinghouse. It is believed that the originally filed claims are patentably distinct over Woolston. Notwithstanding, independent Claim 1 has been amended to more clearly define this feature of the present invention. Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over Woolston. Applicant notes that independent Claim 7 recites similar subject matter, and thus should be allowable, along with claims depending therefrom, for the same reasons as Claim 1.

Applicant's further asserts that the step of crediting the credit card account of a seller is not an obvious extension of Woolston. Current credit card clearinghouse regulations only permit credit transactions as "returns", where a corresponding debit occurs on the seller's credit card account. Applicant's claimed invention calls for a credit transaction without the customary corresponding debit being present on the seller's credit card account. Thus, any reference to known credit card clearing techniques would not teach or suggest

the step of crediting the seller's credit card account. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

All of the stated grounds for rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and further requests that they be withdrawn. Accordingly, it is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 641-1230.

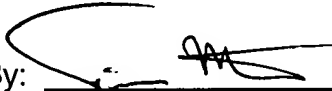
Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

Dated: December 7, 2001

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ATTACHMENT FOR CLAIM AMENDMENTS

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

1. (Amended) A method for transacting a purchase between a buyer and a seller using a computer-implemented purchasing system, the purchasing system having at least two computing devices interconnected by a network, comprising the steps of:

offering an item for sale through the use of a purchase transaction manager, said purchase transaction manager residing on a first computing device interconnected to the network;

providing credit card account information from the seller of said item to said purchase transaction manager;

receiving at least one acceptable bid on said item from a potential buyer, where each acceptable bid includes credit card account information for the potential buyer;

determining a winning bid on said item by said purchase transaction manager, thereby identifying a buyer for said item; and

transacting a purchase between the buyer and the seller using the credit card account information from the buyer and the seller, including the step of crediting the credit card account of the seller.

7. A computer-implemented purchasing system for transacting a purchase between a buyer and a seller, the purchasing system having at least two computing devices interconnected by a network, comprising:

a sellers application receptive of transactional information and residing on a first computing device, where the transactional information includes credit card account information for the seller;

a purchase transaction manager operative to offer said item for sale in response to receiving the transactional information from said sellers application, said purchase transaction manager residing on a second computing device and being interconnected to said sellers application by the network;

said purchase transaction manager receptive of at least one acceptable bid on said item from a potential buyer, where each acceptable bid includes credit card account information for the potential buyer, and operative to determine a winning bid on said item, thereby identifying a buyer for said item; and

said purchase transaction manager being further operative to transact a purchase between the buyer and the seller using the credit card account information from the buyer and the seller, including crediting the credit card account of the seller.